



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

APR - 4 2017

**CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Article number: 7015 3010 0001 6837 8026

Edgar Rico, Director of Environmental  
Health and Safety  
Kingsbrook Jewish Medical Center  
585 Schenectady Avenue  
Brooklyn, NY 11203

Re: Notice of Violation  
Kingsbrook Jewish Medical Center  
EPA ID #: NYD 986954188

Dear Mr. Rico:

This Notice of Violation is issued pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. §§ 6901, 6928.

Pursuant to RCRA, as amended by HSWA, the U. S. Environmental Protection Agency (EPA) promulgated rules, regulations, and standards governing the handling and management of hazardous waste as set forth in 40 C.F.R. Parts 260-272.

For the purposes of this Notice of Violation, the hazardous waste regulations governing the generation of hazardous waste were promulgated in 1980 and amended by HSWA in 1984.

The State of New York is authorized by EPA to conduct a hazardous waste program under Section 3006 of RCRA, 42 U.S.C. § 6926 and is authorized to enforce RCRA. EPA has retained its authority to enforce the hazardous waste rules and regulations in the State of New York.

From a review of manifests, it has been determined that the facility is a Small Quantity Generator (SQG). On or about September 1, 2016, a Compliance Evaluation Inspection (CEI) was conducted at Kingsbrook Jewish Medical Center located at 585 Schenectady Avenue, Brooklyn, NY 11203.

As a result of the CEI, the following violations of the RCRA regulations were found:

1. Pursuant to 6 NYCRR § 372-2(a)(2), a person who generates a solid waste must determine whether that solid waste is a hazardous waste using the procedures specified in that provision.

At the time of the inspection, KJMC did not make hazardous waste determinations on the following wastes:

- (a) More than 3 % chemotherapy hazardous waste, mitomycin c and cyclophosphamide.
- (b) nicotine gum wrappers and warfarin blister packs.

2. Pursuant to 6 NYCRR § 373-3.9(e), a small quantity generator must inspect hazardous waste containers in a hazardous waste container storage area and the storage area weekly.

At the time of the inspection, the facility representative stated that the containers and the hazardous waste container storage area were not inspected weekly for the past three years.

3. Pursuant to 6 NYCRR § 373-3.3(g)(1), a facility owner/operator must attempt to make arrangements as appropriate local authorities (police, fire department) for the type of waste handled at the facility and the potential need for the services of these organizations.

At the time of the inspection, KJMC did not attempt to make arrangements with the police and fire department as per the requirement above.

4. Pursuant to 6 NYCRR § 374-3.2(e)(5), a small quantity handler of universal waste must label each lamp or each container or package containing such lamps with the words "Universal Waste-Lamps" or "Waste Lamps" or "Used Lamps."

At the time of the inspection, in the Universal Waste Room, KJMC stored seventeen boxes of 4 ft., seven boxes of 2 ft., eight boxes of 8 ft. spent fluorescent light bulbs and forty 8 ft. spent fluorescent light bulbs. In the basement of the Mason Building, there were eighty 4 ft. and 4 boxes of spent fluorescent light bulbs stored. All of the afore mentioned spent fluorescent light bulbs were not labeled with the words "Universal Waste-Lamps" or "Waste Lamps" or "Used Lamps."

5. Pursuant to 6 NYCRR § 374-3.2(d)(4)(i), Small Quantity Handlers of Universal Waste must manage spent fluorescent light bulbs in containers or packages that are structurally sound, adequate to prevent breakage and compatible with the contents of the lamps. Containers or packages are closed and show no evidence of leakage, spillage, or damage.

At the time of the inspection in the Universal Waste Room, KJMC stored seventeen boxes of 4 ft., seven boxes of 2 ft., eight boxes of 8 ft. spent fluorescent light bulbs and in the basement of Mason Building, KJMC stored 4 boxes of spent fluorescent light bulbs. All the afore mentioned containers were not closed. The facility also stored forty 8 ft. spent light bulbs in the Universal Waste Room and eighty 4 ft. spent fluorescent light bulbs in the basement of the Mason Building. All of these light bulbs were not stored in containers.

6. Pursuant to 6 NYCRR § 374-3.2(e)(1), Small Quantity Handlers of Universal Waste

must label each battery or container with the words "Universal Waste-Battery(ies)", or "Waste Battery(ies)", or "Used Battery(ies)".

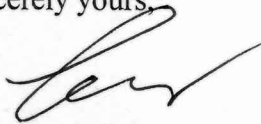
At the time of the inspection, KJMC stored six containers of batteries in the Universal Waste Room and the batteries were not labeled as per the requirement stated above.

Such Please submit within thirty (30) days of receipt of this correspondence, a response which includes [1] a description of the actions you have taken to correct the violations described above, [2] documentation demonstrating that the violations have been corrected.

Failure to comply and submit the documentation requested in this Notice of Violation may subject you and/or your company to the enforcement provisions of Section 3008 of RCRA, 42 U.S.C. § 6928.

If you have any questions regarding this letter, please contact Mr. Abdool Jabar at 212 637-4051.

Sincerely yours,



Leonard Voo, Chief  
Hazardous Waste Compliance Branch

cc: Kelly Lewandowski,  
Site Control Section  
New York State Department of Environmental  
Conservation  
625 Broadway, 11<sup>th</sup> Fl.  
Albany, NY 12233-7020

